

STATE OF CALIFORNIA
Energy Resources Conservation and Development Commission

In the Matter of:

Application for Certification for the
Hidden Hills Solar Electric Generating
System

Docket No. 11-AFC-02

DOCKET	
11-AFC-2	
DATE	<u>MAY 21 2012</u>
RECD.	<u>MAY 21 2012</u>

HIDDEN HILLS SOLAR ELECTRIC GENERATING SYSTEM
STATUS REPORT #1

In response to the Committee Order Granting Petition To Intervene on May 15, 2012, this is the first Status Report being filed by Cindy R. MacDonald in that capacity.

Prior to being granted intervention to these proceedings, I have participated as a member of the interested public in workshops via computer, personally attended the January 18, 2012 workshop in Tecopa, CA, and have submitted three separate written documents to the Committee regarding the proposed project, including "Letter from Inyo County Resident Cindy MacDonald Regarding Bloom Energy Servers, "Cindy MacDonald's Preliminary Public Comments, Technical Analysis & Recommendations", a currently pending document regarding cultural resources in the project area as well as a submission to the Great Basin Unified Air Pollution Control District, which can be located in the Preliminary Determination of Compliance, Appendix A.

Since beginning my involvement on November 20, 2012, I have and will continue to review all documents related to the proposed project and will make every effort to attend future status conferences, workshops and any other related activities associated with the Application For Certification.

Based on this involvement, I continue to have concerns, questions and unresolved issues regarding the proposed project. However, due to the expected publication of the Preliminary Staff Assessment on May 24, 2012, I will refrain from any additional discussions until the PSA is made available for review with one exception, this being the recommendation of an Alternative Traffic route to access the proposed project site.

Status of Traffic Impacts/Proposed Alternative Route

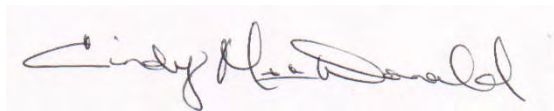
In the Applicant's Status Report#5 dated May 15, 2012, the applicant reported traffic and developmental issues regarding the proposed project site had been resolved at the May 9, 2012 workshop.

I disagree and continue to have serious concerns regarding both the credibility of the applicant's analysis of traffic as well as the feasibility of the currently proposed methods for resolving these same issues based on that analysis.

Therefore, attached is Appendix A, an alternative proposal regarding the re-routing of traffic during the construction and operation of the proposed project. I believe this alternative more realistically addresses the "peak" of construction activity, increases public and vehicle safety, and reduces economic impacts and liabilities to Inyo County.

Dated: May 21, 2012

Respectfully Submitted,

A handwritten signature in cursive script, reading "Cindy MacDonald", written in dark ink on a light-colored background.

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Appendix A

**Alternative Traffic Route for the Proposed
Hidden Hills Solar Electric Generating Station**

Background: Traffic Feasibility Assessment

In the Hidden Hills Solar Electric Generating Systems Application For Certification filed on August 5, 2012, the applicant provides various analysis and figures that project “peak” construction activity for the proposed site.

In Appendix 5.1F, Construction Emissions and Impact Analysis, an untitled table titled, “Hidden Hills On-Road Truck Emissions”, pp. 18, (partially shown below) reveals the applicant has projected the maximum number of truck deliveries at the project site to “average” 384 trucks a day.

Hidden Hills Solar Electric Generating System (Total Both Plants)-Inyo Co., CA-Delivery Truck Emission							
Delivery Truck Peak Daily							
Max Number of Deliveries Per Day	Average Round Trip Haul Distance (miles)	Vehicle Miles Traveled Per Day	NOx	CO	VOC	SOx	PM
384	100.0	38,444	0.0312	0.0144	0.0029	0.0000	0.01
Idle Exhaust							0.01

However, the applicant also provides a more true-to-life monthly breakdown of daily projected construction workers and truck deliveries under the Hidden Hills Construction Worker and Deliveries Schedule pp. 14. (partially shown below) Here, daily truck delivery “peaks” will actually be much higher in the initial months of construction than the touted average and at its true “peak” in August 2013, almost 100% higher than the “average” weighing in at 717 trucks per day.

Hidden Hills Solar Electric Generating System (Total Both Plants)-Inyo Co., CA											
Year	2013										
Calendar Month	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Project Month	1	2	3	4	5	6	7	8	9	10	11
Construction Workers											
Craft-day shift	0	0	44	88	139	556	625	690	725	746	756
Non-Craft-day shift	0	0	15	19	25	24	32	32	32	32	33
Craft-swing shift	0	0	0	0	0	60	60	60	60	60	60
Non-Craft-swing shift	0	0	0	0	0	3	3	3	3	3	3
Compliance Support	0	0	80	80	30	30	30	30	30	30	30
Owners/Others	0	0	15	25	40	40	40	40	40	40	40
Deliveries											
Equipment and Materials	0	0	35	440	420	407	472	438	411	112	120
Concrete	0	0	20	40	0	0	0	0	0	0	0
Heliostat Components	0	0	0	0	245	245	245	245	245	245	246
Total Construction Workers	0	0	154	212	234	713	790	855	890	911	922
Average Construction Workers											
Total Deliveries	0	0	55	480	665	652	717	683	656	357	366
Average Deliveries											

In response to the projected increase in traffic, Inyo County has suggested a required minimum road development in order to handle these same truck deliveries and traffic increases. Discussions between the applicant and the County at the May 9th workshop were formalized in Inyo County's recent letter, "County of Inyo Department of Public Works Letter Regarding Access and Circulation Issues"⁽¹⁾, posted May 14th, 2012, on the CEC website.

The road improvements discussed during the May 9th workshop as well in the Inyo County letter referenced above suggest a turn lane should be added to the Old Spanish Trail Highway capable of supporting two semi-trucks that can be held in a "holding pattern" as they await site access. Based on those same workshop discussions, an additional holding area inside the project boundaries that can accommodate an additional two semi-trucks for site access and security checks was also recommended.

Based on the currently available information, I developed a feasibility assessment shown in Table 1., Daily Truck Deliveries, Site Access/Minutes Per Truck. This table illustrates how many minutes will be required per truck entering the site on a uninterrupted, continuous basis in order to conform to the applicant's projected schedule without having the trucks begin to back up into the Old Spanish Trail Highway.

The results clearly show the currently proposed schedule is quite simply, impossible. It also illustrates how the proposed mitigation measures are so far, inadequate. Of course, this assumes the goal is to prevent trucks from stacking up, lining the shoulders of the Old Spanish Trail Highway and causing significant delays and public safety hazards to passing motorists.

In the best-case scenario for the months analyzed (including the applicant's own "average"), a delivery truck would require 4 minutes to enter the project site if truck deliveries are staggered throughout a 24-hour period. In the worst-case scenario, a truck would have to be processed in a little over a half a minute each if truck deliveries are limited to an 8-hour period.

(1) http://www.energy.ca.gov/sitingcases/hiddenhills/documents/others/2012-04-30_County_of_Inyo_Letter_Re_Access_and_Circulation_Issues_TN-65181.pdf

Table 1.
Hidden Hills Solar Electric Generating Station
Daily Truck Deliveries
Site Access/Minutes Per Truck (MPT)

Time	Daily Truck Deliveries	8-Hour Period	10-Hour Period	12-Hour Period	24-Hour Period
Average	384	1.2 MPT	1.5 MPT	1.9 MPT	3.7 MPT
May 2013	480	1 MPT	1.2 MPT	1.5 MPT	3 MPT
June 2013	655	0.73 MPT	0.91 MPT	1 MPT	2.2 MPT
July 2013	652	0.73 MPT	0.91 MPT	1 MPT	2.2 MPT
August 2013	717	0.67 MPT	0.83 MPT	1 MPT	2 MPT
September 2013	683	0.70 MPT	0.90 MPT	1 MPT	2.1 MPT
October 2013	656	0.73 MPT	0.91 MPT	1 MPT	2.2 MPT
November 2013	357	1.3 MPT	1.7 MPT	2 MPT	4 MPT
December 2013	366	1.3 MPT	1.7 MPT	2 MPT	4 MPT

MPT: Minutes allotted per truck within any time period analyzed. This represents the number of uninterrupted minutes that would be required per truck to continuously enter the project site in order to prevent trucks from backing up into the public roadway.

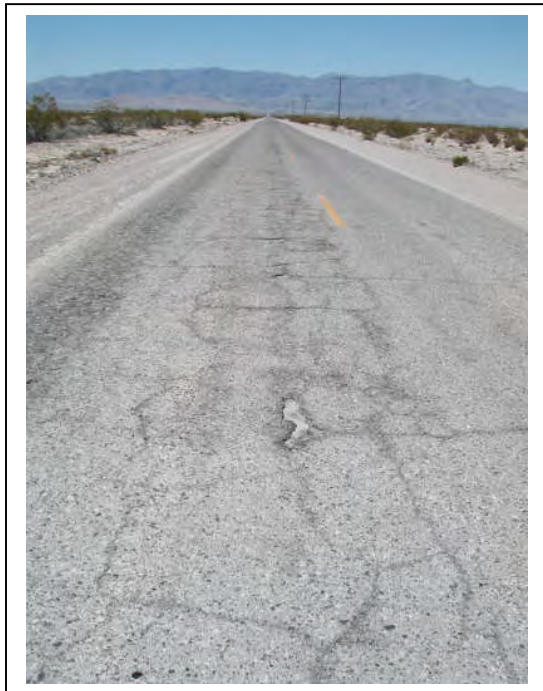
Daily Truck Deliveries were extracted from the Hidden Hills Solar Electric Generating Station Application for Certification, Appendix 5.1F, Construction Emissions and Impact Analysis.

Additional Factors

This assessment also does not incorporate additional factors that will result in additional impacts. For example, vehicles related to worker travel entering the project site estimated at its peak to be over 1,000 per day, is not accounted for. Also, it does not account for the fact that incoming site access may be delayed due to vehicles exiting the site potentially being required to wash their tires prior to exiting, which may slow entry into the “holding areas”.

Additionally, in the Inyo County letter referenced earlier, there is a vague reference to the possibility of requiring “temporary traffic controls” with no further cost or impact analysis of what this might entail. The letter also contains multiple references to potential vehicle conflicts that identify a variety of public safety concerns, despite the County’s currently proposed mitigation measures. It then culminates in the County requesting the CEC to “*indemnify the County for any damage that occurs due to project-related road deterioration during construction.*”

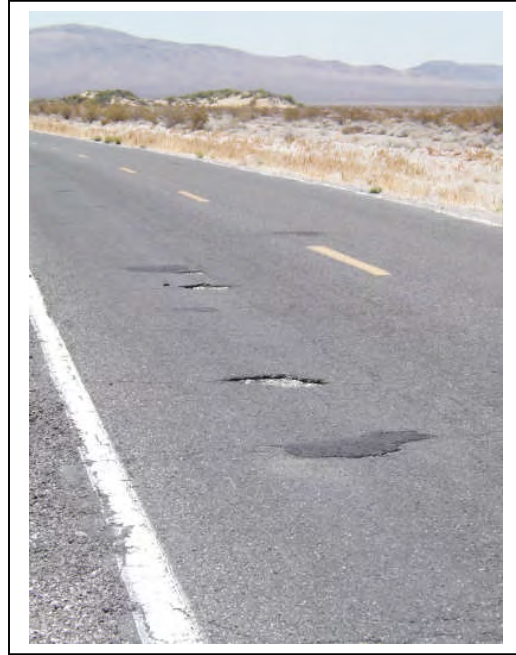
Finally, it has been repeatedly acknowledged that the current condition of the Old Spanish Trail Highway fails to qualify as a functional infrastructure component necessary to support the proposed project, regardless of whether assessing the Nevada or California side of the road. Below are photos of the Old Spanish Trail Highway’s current pavement condition.



On left, Old Spanish Trail Highway looking East between Charleston View and St. Theresa Mission directly adjacent to the proposed project site. Above, recent road repair slightly West of St. Theresa Mission. 5/17/12



Potholes and crumbling curbs located on the “Nevada” side of Old Spanish Trail Highway looking Southwest about 3-4 miles from the proposed project site. 5/17/12



Proposed Alternative

In efforts to serve the public interest, reduce vehicle conflicts, public road hazards/safety issues and increase relief to Inyo County from obvious liabilities associated with the proposed project, an alternative route is reasonably available that has the potential to significantly reduce direct and indirect impacts of the proposed project.

Instead of project traffic entering the site from the Old Spanish Trail Highway on the California side of the border, entry could also be obtained on the Nevada side of the Old Spanish Trail Highway at the juncture of a private road formerly used to access Cathedral Canyon. This road (shown right) is located 5.5 miles from Orchard Well and while not complete, could be developed to lead directly into the project site.



The road is owned and controlled by the same parties who are leasing the land to applicant and therefore, they have complete control to authorize the construction and maintenance of a private road to access the site.

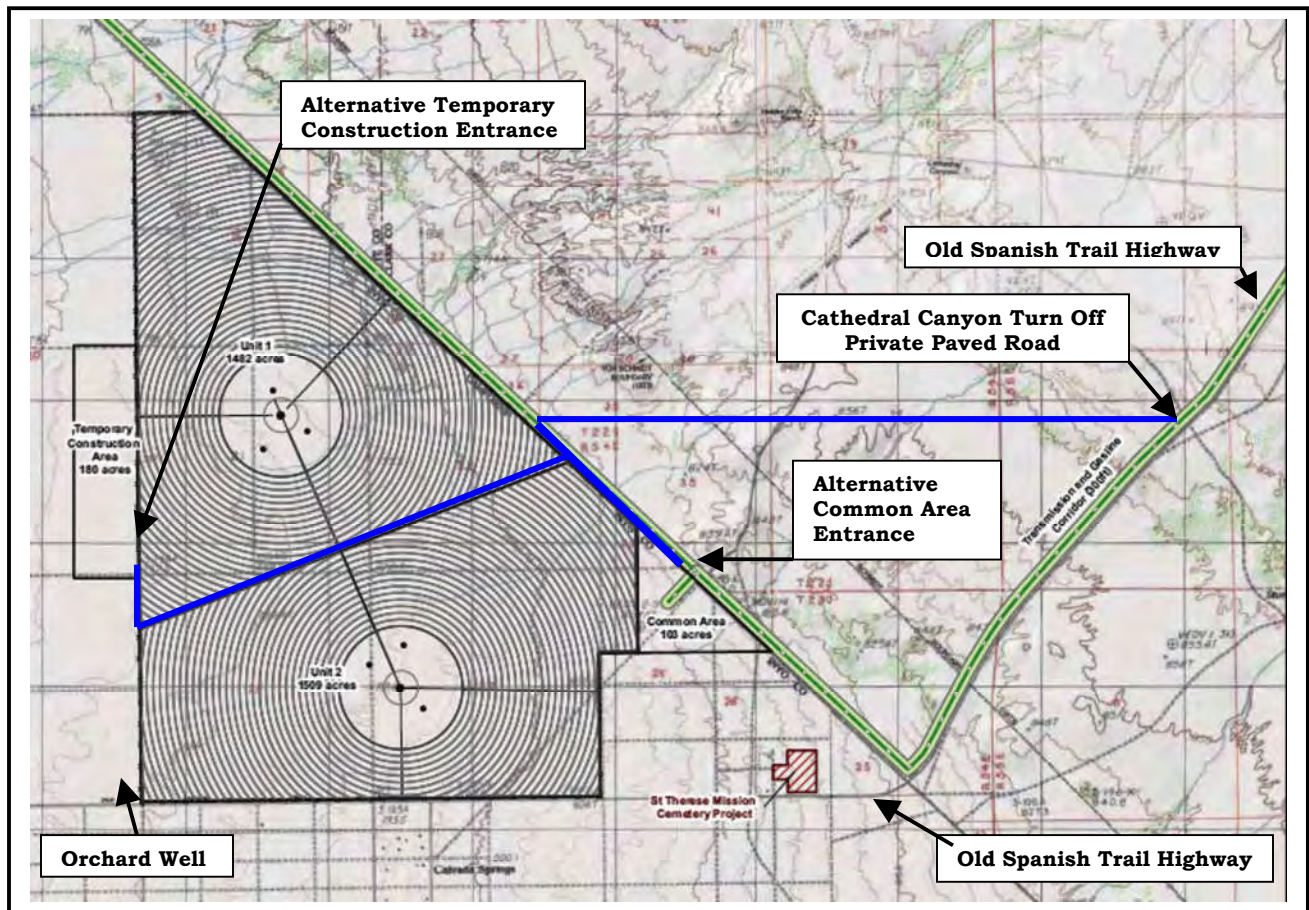
The exact same resolution was utilized during the development of the Front Site Gun Range, where the owners created their own private road to access the site.



Front Site Road. A privately developed and maintained road connecting to the Old Spanish Trail Highway that allows site access with no costs or liability to the County or the State.

This proposed alternative route would prevent the majority of vehicle traffic related to the proposed project from entering California at all, would eliminate 5.5 miles of congestion and conflict to other motorists, would reduce conflicts with winter recreational travel to Dumont Dunes, would help decrease public safety hazards, would reduce roadway deterioration, associated maintenance costs, and liabilities to Inyo County, would make the applicant solely responsible for a significant portion of roadway construction and maintenance over the life of the project, would increase site security due to site access not being directly adjacent to a public highway, and finally, allows for a realistic plan to addresses delivery site access capable of providing “miles of runway” for trucks and worker vehicles to stack up and back up without any impacts to the motoring public or residents of Charleston View.

It could also be reasonably incorporated into the proposed projects design with minimal adjustments as illustrated in the following map.



Map Source: Hidden Hills SEGS, Supplemental Data Response, Set 2, TN-64558, Figure 1. pp. 318 (pdf. file)

— = Alternative Route



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**APPLICATION FOR CERTIFICATION
FOR THE *HIDDEN HILLS SOLAR ELECTRIC
GENERATING SYSTEM***

DOCKET NO. 11-AFC-02

**PROOF OF SERVICE
(Revised 5/15/2012)**

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DECLARATION OF SERVICE

I, *Cindy R. MacDonald*, declare that on *May 21, 2012*, I served and filed copies of the attached *Hidden Hills Solar Electric Generating System (11-AFC-2) Status Report #1*, dated *May 21, 2012*. This document is accompanied by the most recent Proof of Service list, located on the web page for this project at:
www.energy.ca.gov/sitingcases/hiddenhills/index.html.

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit or Chief Counsel, as appropriate, in the following manner:

(Check all that Apply)

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AND

For filing with the Docket Unit at the Energy Commission:

- ☒ by sending an electronic copy to the e-mail address below (preferred method); **OR**
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OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, § 1720:

- ☐ Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following address, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid:

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

